

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2008-294-S - ORDER NO. 2008-760
NOVEMBER 6, 2008

IN RE: Application of Jacabb Utilities, LLC for)
Approval of a Contract with Warpath)
Development, Inc. and to Serve the Warpath)
Landing Resort)

ORDER APPROVING
CONTRACT

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the revised Application of Jacabb Utilities, LLC (“Jacabb” or “Applicant”) for approval of a contract with Warpath Development, Inc. (“Developer”), pursuant to 26 S.C. Code Ann. Regs. 103-541 (Supp. 2007). The Applicant and Developer have entered into an agreement for wastewater utility service dated July 7, 2008. In addition, Jacabb also requests that the Commission waive a hearing in this matter.

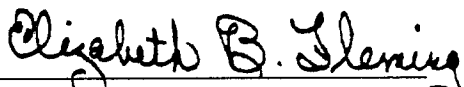
Notice of the application for approval of the contract between Jacabb and the Developer was published in the *Pickens County Courier* newspaper, which serves the area affected by the application, and no interested persons filed a protest or moved to intervene. On October 21, 2008, the Office of Regulatory Staff (“ORS”) filed a letter with the Commission stating that it had reviewed this matter and that ORS had no objections to approval of the contract. Based on these factors, we find and hold that a hearing is unnecessary and waived.

Jacabb is a public utility currently authorized to operate water and wastewater systems under the jurisdiction of this Commission in Oconee County, as well as certain other counties in the state. Jacabb proposes to serve the Warpath Landing Resort (“Development”), which will consist of campsites, cabins and amenities from which the total sewage flow will not exceed 60,000 gallons per day. The Development is within the Applicant’s authorized service area in Oconee County, South Carolina. Under the agreement, Jacabb will provide wastewater service to the Development pursuant to the terms, conditions, rates and charges as approved and on file with this Commission. The Agreement provides, *inter alia*, that the Developer will construct all of the necessary sewer facilities required to serve the Development, acquire all necessary easements and rights-of-way, and convey such facilities and easements to Jacabb. Pursuant to the Agreement, Jacabb has agreed to reserve adequate utility capacity for the campsites, cabins and amenities located within the Development. Jacabb submits that the public convenience and necessity will be served by approval of the contract.

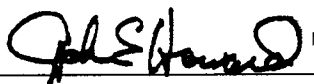
We find that public convenience and necessity will be served by approval of the contract between Jacabb Utilities, LLC and Warpath Development to serve Warpath Landing Resort in Oconee County, South Carolina. The proposed development to be served is in the service territory of Jacabb, and no other public utility is currently authorized to serve the proposed development. Furthermore, no objections have been made to the application. Based on these factors, we therefore approve the application and the contract as filed.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman

(SEAL)